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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN RE: SOCIAL MEDIA ADOLESCENT  
ADDICTION/PERSONAL INJURY  
PRODUCTS LIABILITY LITIGATION

Case No. 4:22-MD-03047-YGR

MDL No. 3047

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This Document Relates to:  
  
ALL ACTIONS

**PLAINTIFFS' ADMINISTRATIVE  
MOTION TO FILE UNDER SEAL  
EXHIBITS IN SUPPORT OF PLAINTIFFS'  
CONSOLIDATED *EX PARTE*  
APPLICATION FOR APPOINTMENT OF  
GUARDIANS *AD LITEM***

Pursuant to Civil Local Rules 7-11 and 79-5(c), Plaintiffs respectfully move for administrative relief to file under seal the individual *Ex Parte* Applications for Appointment of Guardian *Ad Litem* (“Applications”) described in Plaintiffs’ Consolidated *Ex Parte* Application for Appointment of Guardians *Ad Litem* (“Consolidated *Ex Parte* Application”) and attached as Exhibits 1 to 75 to the Declaration of Jennie Lee Anderson in Support of Plaintiffs’ Consolidated *Ex Parte* Application (“Anderson Decl.”).

The Applications for which sealing is sought are:

- *Doffing v. Meta Platforms, Inc., et al.*, 4:22-cv-05892 (Exhibit 1);
- *Harris v. Meta Platforms, Inc., et al.*, 4:22-cv-06085 (Exhibit 2);
- *Tanton v. Meta Platforms, Inc., et al.*, 4:22-cv-06545 (Exhibit 3);
- *Waddell v. Meta Platforms, Inc., et al.*, 4:22-cv-05888 (Exhibit 4);
- *Roth v. Meta Platforms, Inc., et al.*, 4:22-cv-05884 (Exhibit 5);
- *Tesch v. Meta Platforms, Inc., et al.*, 4:22-cv-06167 (Exhibit 6);
- *Dorsey v. Meta Platforms, Inc., et al.*, 4:22-cv-06451 (Exhibit 7);
- *Johnson (and as next of friend to minors K.L.J., J.A.J., and K.A.J.) v. Meta Platforms, Inc., et al.*, 4:22-cv-06418 (Exhibits 8, 9 and 10);
- *E.W. v. YouTube, LLC, et al.*, 4:22-cv-04528 (Exhibit 11);
- *M.C. v. Meta Platforms, Inc., et al.*, 4:22-cv-04529 (Exhibit 12);
- *T.K. v. Meta Platforms, Inc., et al.*, 4:22-cv-04588 (Exhibit 13);
- *T.R. v. Meta Platforms, Inc., et al.*, 4:22-cv-04712 (Exhibit 14);
- *C.C. v. Meta Platforms, Inc., et al.*, 4:22-cv-04709 (Exhibit 15);
- *J.H. (and as next of friend to minors N.R. and A.M.) v. Meta Platforms, Inc., et al.*, 4:22-cv-04710 (Exhibit 16 and 17);
- *Jamerson v. Meta Platforms, Inc., et al.*, 4:22-cv-06384 (Exhibit 18);
- *L.A.T. (and as next of friend to minor L.T.) v. Meta Platforms, Inc., et al.*, 4:22-cv-04937 (Exhibit 19);
- *S.R. v. Meta Platforms, Inc., et al.*, 4:22-cv-06455 (Exhibit 20);
- *Harrison v. Meta Platforms, Inc., et al.*, 4:22-cv-06452 (Exhibit 21);

- 1 • *Odems v. Meta Platforms, Inc., et al.*, 4:22-cv-06440 (Exhibit 22);
- 2 • *Huff-Young v. Meta Platforms, Inc., et al.*, 4:22-cv-06430 (Exhibit 23);
- 3 • *Brown v. Meta Platforms, Inc., et al.*, 4:22-cv-06668 (Exhibit 24);
- 4 • *Quinones v. Meta Platforms, Inc., et al.*, 4:22-cv-06431 (Exhibit 25);
- 5 • *Kimber (and as next friend to minor D.K.) v. Meta Platforms, Inc., et al.*, 4:22-cv-
- 6 06434 (Exhibit 26);
- 7 • *Westwood v. Meta Platforms, Inc., et al.*, 4:22-cv-06461 (Exhibit 27);
- 8 • *Turgeon v. Meta Platforms, Inc., et al.*, 4:22-cv-06616 (Exhibit 28);
- 9 • *Canche v. Meta Platforms, Inc., et al.*, 4:22-cv-06449 (Exhibit 29);
- 10 • *Cerone v. Meta Platforms, Inc., et al.*, 4:22-cv-06417 (Exhibit 30);
- 11 • *Koutsouftikis v. Meta Platforms, Inc., et al.*, 4:22-cv-06643 (Exhibit 31);
- 12 • *T.S. v. Meta Platforms, Inc., et al.*, 4:22-cv-06454 (Exhibit 32);
- 13 • *Smith (Chad) v. Meta Platforms, Inc., et al.*, 4:22-cv-06421 (Exhibit 33);
- 14 • *Stoudemire (on behalf of De'John Davidson) v. Meta Platforms, Inc., et al.*, 4:22-cv-
- 15 06495 (Exhibit 34);
- 16 • *Stoudemire (on behalf of Ja'Taisha Davidson) v. Meta Platforms, Inc., et al.*, 4:22-cv-
- 17 05987 (Exhibit 35);
- 18 • *Woods v. Meta Platforms, Inc., et al.*, 4:22-cv-6591 (Exhibit 36);
- 19 • *V.P. v. Meta Platforms, Inc., et al.*, 4:22-cv-06617 (Exhibit 37);
- 20 • *J.O. v. Meta Platforms, Inc., et al.*, 4:22-cv-05546 (Exhibit 38);
- 21 • *Agosta v. Meta Platforms, Inc., et al.*, 4:22-cv-05565 (Exhibit 39);
- 22 • *M.F., B.F., A.F. v. Meta Platforms, Inc.*, 4:22-cv-05573 (Exhibit 40);
- 23 • *Calvoni v. Meta Platforms, Inc., et al.*, 4:22-cv-05873 (Exhibit 41);
- 24 • *Page v. Meta Platforms, Inc., et al.*, 4:22-cv-06124 (Exhibit 42);
- 25 • *Neave v. Meta Platforms, Inc., et al.*, 4:22-cv-06126 (Exhibit 43);
- 26 • *Kosiorek v. Meta Platforms, Inc., et al.*, 4:22-cv-06142 (Exhibit 44);
- 27 • *Amacker v. Meta Platforms, Inc., et al.*, 4:22-cv-06150 (Exhibit 45);
- 28 • *Hunt v. Meta Platforms, Inc., et al.*, 4:22-cv-06155 (Exhibit 46);

- 1 • *Hicks (Tameshia) v. Meta Platforms, Inc., et al.*, 4:22-cv-06162 (Exhibit 47);
- 2 • *D.D., G.D. v. Meta Platforms, Inc., et al.*, 4:22-cv-06190 (Exhibit 48);
- 3 • *Duke v. Meta Platforms, Inc., et al.*, 4:22-cv-06200 (Exhibit 49);
- 4 • *Cohen v. Meta Platforms, Inc., et al.*, 4:22-cv-06207 (Exhibit 50);
- 5 • *Day v. Meta Platforms, Inc., et al.*, 4:22-cv-06215 (Exhibit 51);
- 6 • *I.A. v. Meta Platforms, Inc., et al.*, 4:22-cv-06252 (Exhibit 52);
- 7 • *LaBlue v. Meta Platforms, Inc., et al.*, 4:22-cv-06256 (Exhibit 53);
- 8 • *Levin v. Meta Platforms, Inc., et al.*, 4:22-cv-06263 (Exhibit 54);
- 9 • *Brooks v. Meta Platforms, Inc., et al.*, 4:22-cv-06308 (Exhibit 55);
- 10 • *Wheeldon v. Meta Platforms, Inc., et al.*, 4:22-cv-06306 (Exhibit 56);
- 11 • *Bright v. Meta Platforms, Inc., et al.*, 4:22-cv-06318 (Exhibit 57);
- 12 • *Capka v. Meta Platforms, Inc., et al.*, 4:22-cv-06583 (Exhibit 58);
- 13 • *Simpson v. Meta Platforms, Inc., et al.*, 4:22-cv-06587 (Exhibit 59);
- 14 • *Wombles v. Meta Platforms, Inc., et al.*, 4:22-cv-06685 (Exhibit 60);
- 15 • *Clarke-Penella v. Meta Platforms, Inc., et al.*, 4:22-cv-06692 (Exhibit 61);
- 16 • *Hawthorne v. Meta Platforms, Inc., et al.*, 4:22-cv-06751 (Exhibit 62);
- 17 • *Czubakowski v. Meta Platforms, Inc., et al.*, 4:22-cv-06989 (Exhibit 63);
- 18 • *C.U. v. Snap Inc, et al.*, 4:22-cv-07347 (Exhibit 64);
- 19 • *N.W. v. Meta Platforms, Inc., et al.*, 4:22-cv-08937 (Exhibit 65);
- 20 • *Hemmer v. Meta Platforms, Inc., et al.*, 4:23-cv-00055 (Exhibit 66);
- 21 • *Williams v. Meta Platforms, Inc., et al.*, 4:22-cv-05886 (Exhibit 67);
- 22 • *Copelton v. Meta Platforms, Inc., et al.*, 4:22-cv-06165 (Exhibit 68);
- 23 • *J.A., K.L., and A.L. v. TikToc, et al.*, 4:23-cv-00515 (Exhibit 69);
- 24 • *G.W. v. Snap, Inc.*, 4:23-cv-00545 (Exhibit 70);
- 25 • *L.A.T. (as next of friend to P.T.) v. Meta Platforms, Inc., et al.*, 4:22-cv-04937 (Exhibit
- 26 71);
- 27 • *Mullen v. Meta Platforms, Inc., et al.*, 4:23-cv-00600 (Exhibit 72);
- 28 • *A.C. v. Meta Platforms, Inc., et al.*, 4:23-cv-00646 (Exhibit 73);

- *Wishkin v. Meta Platforms, Inc., et al.*, 4:22-cv-06459 (Exhibit 74); and
- *D.D., J.D. v. Meta Platforms, Inc., et al.*, 4:22-cv-06205 (Exhibit 75).

This motion is accompanied by a proposed order and a stipulation by counsel for all affected parties pursuant to Civil Local Rules 7-11 and 7-12. *See* Civ. L. R. 79-5(c).

Civil Local Rule 79-5(c) requires that the designating party explain in a specific statement the applicable legal standard and the reasons for sealing a document, including the “legitimate private or public interests that warrant sealing,” “the injury that will result if sealing is denied,” and “why a less restrictive alternative to sealing is not sufficient.” Civil L.R. 79-5(c)(1)(i)(iii).

“Historically, courts have recognized a general right to inspect and copy public records and documents, including judicial records and documents.” *Kamakana v. City of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006) (citations omitted). Generally, a “party seeking to seal a judicial record then bears the burden of overcoming this strong presumption by meeting the compelling reasons standard. That is, the party must articulate compelling reasons supported by specific factual findings that outweigh the general history of access and the public policies favoring disclosure . . .” *Id.* at 1178-1179 (citations omitted). However, where the documents or information the parties seek to file under seal are unrelated or only “tangentially related” to the underlying claims, the presumption of public access can be overcome simply by showing “good cause.” *Ctr. for Auto Safety v. Chrysler Grp., LLC*, 809 F.3d 1092, 1097 (9th Cir. 2016) (citations omitted). Applications for appointment of guardians *ad litem* are nondispositive motions subject to the lower, good cause standard for sealing. *Dew v. City of Seaside*, Case No. 19-cv-06009-HSG, 2020 WL 7016638, at \*2 (N.D. Cal. April 15, 2020).

The Federal Rules of Civil Procedure recognize the importance of protecting a minor’s privacy and safety by permitting parties to identify minors only by their initials in court filings. Fed. R. Civ. P. 5.2 (a)(3). An individual’s birth date is similarly protected in court filings. Fed. R. Civ. P. 5.2(a)(2) (permitting parties to include only the year of an individual’s birth). In addition, the sealing of a minor’s personal information, including their birth year and home address, may be justified to “protect [the minor’s] privacy interest[s] and to prevent exposure to harm or identity theft.” *Meyers v. Kaiser Found. Health Plan Inc.*, No. 17-CV-04946-LHK,

1 2019 WL 120657, at \*3 (N.D. Cal. Jan. 6, 2019) (citation omitted).

2 Accordingly, courts in this Circuit have permitted documents submitted in support of a  
3 guardian *ad litem* application to be filed under seal where they include the full names or personal  
4 information of a minor. *See, e.g., Dew v. City of Seaside*, Case No. 19-cv-06009-HSG, 2020 WL  
5 7016638, at \*2 (N.D. Cal. 2020) (sealing exhibits attached to a motion for guardian *ad litem* that  
6 included the full names of minors involved in the case); *J.B. v. Banning Unified Sch. Dist.*, Case  
7 No. EDCV 18-2134-JGB (KKx), 2018 WL 6164312, at \*2 (C.D. Cal. Oct. 18, 2018) (sealing  
8 plaintiff's un-redacted application for guardian *ad litem*).

9 Here, each Application contains the minor's complete date of birth, and a majority of the  
10 Applications include the minor Plaintiff's full name. In addition, each Application includes the  
11 full name, address, and telephone number of each minor Plaintiff's parent and/or legal guardian.  
12 Disclosing this information may increase the risk of revealing the identity of the minor  
13 Plaintiffs, who are likely to share the last name, address, and/or telephone number of their parents  
14 and/or legal guardians. Further, where the guardian *ad litem* applicant is also seeking to proceed  
15 by initials only, as is the case for fourteen of the Applications, disclosing their identity may  
16 increase risk of revealing identity of the minor Plaintiff.

17 The minor Plaintiffs in these coordinated actions have a strong privacy interest in  
18 protecting their full names, addresses, telephone numbers, and dates of birth. The need for such  
19 privacy is particularly great here as (1) the allegations in each action include highly personal and  
20 sensitive information related to the minor's mental health and emotional state (e.g., eating  
21 disorders, depression, anxiety, and attempted suicide); and (2) these coordinated cases have  
22 already garnered significant media attention, increasing the likelihood that the minor Plaintiffs  
23 will receive unwanted contact from the media and/or unaffiliated supporters of the social media  
24 defendants. In contrast, disclosing personal identifying information would not serve any  
25 compelling public interest.

26 Finally, the pervasiveness of personal identifying information in the Applications, as well  
27 as the large number of Applications being submitted, renders potentially less restrictive means,  
28 such as redacting the pertinent information in the Applications, inefficient while offering no

significant benefit to the public interest.

For the reasons set forth above, Plaintiffs respectfully request that the Court enter the [Proposed] Order Granting Plaintiffs' Administrative Motion to File Under Seal Exhibits In Support of Plaintiffs' Consolidated *Ex Parte* Application for Appointment of Guardians *Ad Litem*.

Dated: February 28, 2023

Respectfully submitted,

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